

Counsel listed on next pages

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

Philip Wong, Frederic Chaussy, and Leslie  
Marie Shearn, individually, on behalf of all  
others similarly situated, and on behalf of  
the general public,

Plaintiffs,

vs.

HSBC Mortgage Corporation (USA);  
HSBC Bank USA, N.A.; and DOES 1  
through 50, inclusive,

Defendants.

**Case No.: 3:07-cv-2446 MMC**

**JOINT STIPULATION AND  
[PROPOSED] ORDER TO EXTEND  
EARLY NEUTRAL EVALUATION  
DEADLINE**

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26 Attorneys for Defendants  
27 HSBC MORTGAGE CORPORATION (USA) and  
28 HSBC BANK USA, N.A.

1 WHEREAS, Plaintiffs Philip Wong, Frederic Chaussy, and Leslie Marie Shearn  
2 (collectively referred to as "Plaintiffs") and Defendants HSBC Mortgage Corporation USA and  
3 HSBC Bank USA, N.A. (collectively referred to as "Defendants") jointly submit this Stipulation  
4 requesting to extend the April 30, 2008 deadline set by the Court for conducting an Early Neutral  
5 Evaluation ("ENE") of this case;

6 WHEREAS, the parties' Stipulation is submitted pursuant to Northern District of  
7 California Local Alternative Dispute Resolution Rule 5-5, Civil Local Rule 7-11, and Civil Local  
8 Rule 7-12;

9 WHEREAS, Plaintiffs and Defendants are awaiting a ruling from the Court on Plaintiffs'  
10 Motion for Conditional Certification and Partial Summary Judgment;

11 WHEREAS, Plaintiffs and Defendants are currently scheduled to attend an ENE with  
12 Evaluator Roderick P. Bushnell on April 1, 2008;

13 WHEREAS, Plaintiffs and Defendants agree that participation in an ENE will be more  
14 meaningful once the parties have received the Court's ruling on Plaintiffs' Motion for Conditional  
15 Certification and Partial Summary Judgment;

16 WHEREAS, Plaintiffs and Defendants have agreed that an extension of time for  
17 participating in ENE should be requested; and

18 WHEREAS, Evaluator Bushnell has indicated that he has no objection to postponing the  
19 ENE session currently scheduled for April 1, 2008 until a date after the parties have received a  
20 ruling from the Court on Plaintiffs' Motion for Conditional Certification and Partial Summary  
21 Judgment.

1 IT IS HEREBY STIPULATED by and between the parties hereto, through their respective  
2 attorneys of record, that they will participate in ENE, as agreed by the parties and Evaluator  
3 Roderick P. Bushnell, within forty-five (45) days after receiving the Court's ruling on Plaintiffs'  
4 Motion for Conditional Certification and Partial Summary Judgment.

5  
6 Dated: March 17, 2008

NICHOLS KASTER & ANDERSON, LLP

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8  
9 By: /s/ Bryan J. Schwartz  
BRYAN J. SCHWARTZ  
10 Attorneys for Plaintiffs and Representative Plaintiffs

11 Dated: March 17, 2008

12 LITTLER MENDELSON, PC

13  
14 By: /s/ Kimberly L. Owens  
KIMBERLY L. OWENS  
15 Attorneys for Defendants

16  
17 **ORDER**

18 PURSUANT TO STIPULATION, IT IS SO ORDERED.  
19

20  
21 Dated: \_\_\_\_\_

22 \_\_\_\_\_  
Honorable Maxine M. Chesney  
23 United States District Court Judge

**ATTESTATION OF CONCURRENCE**

Pursuant to the Court's General Order 45, Section 10, I hereby attest that concurrence in the filing of this document has been obtained from each of the other signatories.

DATED: March 17, 2008

/s/ Kimberly L. Owens  
KIMBERLY L. OWENS